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LACKS ENTERPRISES, INC., a
)
Michigan corporation, and **LACKS**
)
HOME PRODUCTS, LLC, a Michigan
)
limited liability company,
)
)
Plaintiffs,
)
)
)
v.
)
)
)
HD SUPPLY, INC., a Delaware
)
corporation, and **THE HOME DEPOT,**
)
INC., a Delaware corporation,
)
)
)
Defendants.
)
)

Civil Action No.

1:15-cv-00990-PLM-PJG

The parties respectfully move the Court under Federal Rule of Civil Procedure 6(b) for an extension until and through **November 17, 2015** of the deadline for all Defendants to answer and/or otherwise move or respond to Plaintiffs' Complaint [Dkt. 1]. This new deadline provides a reasonable 20-day extension to HD Supply, Inc. and a 21-day extension to The Home Depot, Inc. to provide additional time for Defendants to obtain counsel and confer with Plaintiffs' counsel. Plaintiffs do not object to this extension. The parties have attached as Exhibit A a proposed Order for the Court's convenience.

Respectfully submitted this 26th day of October, 2015.

/s/ John S. Artz

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/s/ David A. Mollicone

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Counsel for Defendant The Home Depot,
Inc. and Home Depot, U.S.A., Inc.¹

¹ Although Lacks has sued The Home Depot, Inc., Home Depot does not believe that is the correct entity. Based on the allegations of the Complaint, Home Depot believes that Home Depot U.S.A., Inc. is the correct party. The parties are currently discussing this issue.

CERTIFICATE OF SERVICE

I hereby certify that on this day I caused to be served a true and correct copy of the foregoing **JOINT MOTION FOR EXTENSION OF DEFENDANTS' TIME TO ANSWER OR OTHERWISE RESPOND TO COMPLAINT AND CERTIFICATE OF MOTION CONCURRENCE** by filing same with the Court's electronic case management system, which will automatically send copies to the following:

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This 26th day of October, 2015.

/s/ David A. Mollicone

David A. Mollicone

EXHIBIT A

LACKS ENTERPRISES, INC., a
Michigan corporation, and **LACKS**
HOME PRODUCTS, LLC, a Michigan
limited liability company,

Plaintiffs,

v.

HD SUPPLY, INC., a Delaware
corporation, and **THE HOME DEPOT,**
INC., a Delaware corporation,

Defendants.

Civil Action No.

1:15-cv-00990-PLM-PJG

For good cause shown, the parties' Joint Motion for Extension of Defendants' Time to Answer or Otherwise Respond to Complaint is **GRANTED**, and all Defendants may answer and/or otherwise move or respond to the Complaint [Dkt. 1] by and through November 17, 2015.

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